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October 17, 2007

**Via Overnight Mail**

Honorable Louis L. Stanton  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 2550  
New York, NY 10007

**Re: *Susan Garvey v. Jules Abadi*  
S.D.N.Y. 07-cv-6189 (LLS)**


Dear Hon. Judge Stanton:

This firm represents Jules Abadi in this marine personal injury dispute brought by plaintiff Susan Garvey.

We appeared before Your Honor on Friday, October 5, 2007, for an initial conference. At that conference, Your Honor questioned whether the Court had subject matter jurisdiction over this case and whether the removal was proper. Plaintiff's motion to remand was renewed, and we were instructed to submit memoranda on this issue on October 19, 2007.

On Wednesday, October 17, 2007, although we believe that the removal was proper, we contacted the plaintiff and advised that we would not oppose plaintiff's motion to remand. As defendant consents to voluntary remand to state court, we respectfully request that the Court confirm that the filing of briefs on this issue is unnecessary.

Very truly yours,  
RUBIN, FIORELLA & FRIEDMAN LLP



Michael E. Stern, Esq.

MES/YSH:sjm

cc: Jack A. Yankowitz, Esq.